IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5748 OF 2004

Devidas Atmaram Mundhe ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri K. Singh i/by K.Singh & Associates for Applicant.
Shri K.V. Saste, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 23, 2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. As the incident in question took place on the spur of moment, coupled with the fact that the investigation is complete and the chargesheet has been filed and there is no likelihood of early conclusion of the trial, the applicant deserves to be enlarged on bail on following strict conditions :-

(a) Applicant is enlarged on bail in connection with C.R.No. I-324/2004, registered with Mumbra Police Station, Dist. Thane on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty five thousand only) with one or two local sureties in the

like amount.

(b) The Applicant shall not enter the jurisdiction of Mumbra Police Station during pendency of the trial as this condition is necessitated because it has come on record that there was previous enmity between the complainant and the applicant accused.

(c) The applicant shall report to the nearest police station where he intends to reside, once in a fortnight on Saturday between 10 a.m. to 12 p.m. and he shall not leave jurisdiction of the said police station without prior intimation to the investigating officer as well as trial court.

(d) The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(e) The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Ordered accordingly.

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